



Leq'á:mel First Nation

Lands and Natural Resources Department

Soil Transport, Deposit and Removal Permit Form

Leq'á:mel First Nation



SOIL TRANSPORT, DEPOSIT AND REMOVAL LAW

SOIL PERMIT APPLICATION FORM

Updated: March 12, 2024.

Completion of this application and/or payment of fees does not guarantee that a permit will be issued. LFN reserves the right to change or revise these forms in its sole discretion.



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Terms and Conditions

The undersigned Applicant(s) agree to the following terms and conditions:

1. Every applicant must comply with the *LFN Soil Transport, Deposit and Removal Law*, including with respect to the requirement that all fill must be "Clean Fill" based on the BC Contaminated Sites Regulation, as defined therein, and geotechnically suitable for the intended purpose.
2. Applicants must meet the requirements listed in section 10 of the *LFN Soil Transport, Deposit and Removal Law, 2020*, for a soil permit application to be considered complete and ready for processing.
3. Applicants must submit a complete application to receive a soil permit, and must not transport, remove or deposit any soils on or over Leq'á:mel Lands without a permit.
4. If a soil permit is issued to you, you agree and verify your understanding that you are legally responsible for the terms and conditions listed in the permit, and that you should seek your own legal advice before signing and accepting the permit.
5. In the event of any breach of a LFN Soil Permit, you are responsible for covering all of the costs to remedy the situation, including removing contaminated soil, and that LFN may suspend the rights under or terminate any issued Permit, at LFN's sole discretion.
6. To confirm ownership status, LFN will require copies of current title searches for each lot described in the Legal Description.

The undersigned Applicant(s) have read and understood and agree to these terms and conditions.

Applicant(s) Signature(s):

Date:

Print Applicant(s) Name(s):

Full Legal Description of Applicant(s) Property (PID#, Lot#, Plan#):

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Schedule A – Agreement and Indemnity Form

This form is to clarify for CP holders, lease holders, or those with an interest in Leq'á:mel lands, the legal responsibilities and liabilities that they possess when importing, transporting and depositing soil on Leq'á:mel Lands. Soil permitting is a complex and costly process. You more than likely need an engineer and access to a lot of information to submit an application. This must be done at your own cost. All soil permit applicants are subject to the *LFN Soil Transport, Deposit and Removal Law, 2020* and all other applicable LFN laws, regulations and procedures along with all applicable laws, regulations, and procedures of outside agencies. **You will be required to sign a copy of this form when applying for a Soil Permit.**

Please note:

1. Only the CP/lease holder and their agents can hold a soil permit.
2. There are numerous items that need to be addressed. Before you apply for a permit, please consider the following:

Application requirements

- Unless the Leq'á:mel Lands Office or Council varies or waives any requirements, your application must meet the information, plans and specification requirements listed in section 10.1 of the *LFN Soil Transport, Deposit and Removal Law, 2020*.

Permit Conditions

- You must have a permit issued from the Lands Office prior to importing any soil to your lands. Part 11 and Part 12 of the LFN Soil Law outline the types of conditions LFN may impose on a soil permittee.

Where is the fill coming from (Source Site)?

- You must ensure and demonstrate to Leq'á:mel that the soil on the Source Site (the site(s) where the soil is coming from) is safe and clean enough to be placed on Leq'á:mel Lands for the intended use (i.e. residential or commercial development). A Qualified Professional who is a member of a BC professional association is vital in helping you determine if the fill you want to bring is clean or not. You are responsible for covering the costs of all professionals, including engineers, who may be required to submit a completed application.

Where is the fill going and how is it getting there (Fill Site)

- You must ensure that all truckers and contractors working on your site complete Schedule TS for all fill deposited.
- You must have a route map (see Schedule R) attached to your Permit Application.
- The source site is assigned a SAC number. Soil cannot be transported to Leq'á:mel Lands from a site that has not been granted a SAC number by the LFN Lands Department.
- You will be required to prepare a Drainage Plan for the Fill Site Application. The plan should include sediment control works.

Reporting

- Every vehicle operator bringing a load of soil to, on, or over Leq'á:mel Lands from outside the community must carry documented proof of Director of Lands approval, and report to and present the documentation at the designated checkpoint.



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- You must record, on a truck by truck basis, every load that leaves a source site and every load that enters your site. You may be audited by an independent party outside the control of LFN.
 - You must record which corner of the cells each load is being placed and at approximately what elevation.
 - Every person who transports, removes or deposits soil within Leq'á:mel Lands must maintain up to date records of required information. Records must be available during working hours within 7 days of receiving a notice from the director of Lands requesting inspection of the records.
 - Copies of Schedule TS and L3 will be completed by Permittees weekly and submitted by Permittees to LFN monthly, within 3 days after the end of each calendar month, together with the required Permit fees.
3. You shall be required to provide general liability insurance and security to protect LFN against damage, in accordance as an Additional Insured with respect to your insurance contract.
4. You must provide a complete application to the Leq'á:mel Lands office to have your soil permit application processed and to receive a soil permit. A complete application includes the following information, at a minimum, unless waived by the Lands office or Council:
- This Agreement and Indemnity form.
 - Schedule SA – Soil Acceptance Form, which helps Leq'á:mel understand where the soil is coming from and confirm it's quality meets LFN requirements.
 - Schedule FS – Fill Site Application Form, which helps Leq'á:mel understand where the proposed soil will be deposited on Leq'á:mel Lands.
 - detailed plans, data, and specifications for the proposed site, to a scale of 1:1000 or larger, showing the contour of the ground at its current state with vertical contours at such intervals as a Qualified Environmental Professional may determine in accordance with reasonable engineering or professional standards.
 - all pertinent features including buildings, structures, trees, roads, lanes, bridges, ditches, and natural Watercourses.
 - proposed slopes which will be maintained upon completion of the operation.
 - proposed methods for controlling erosion of the banks of the excavation or fill.
 - proposed methods and locations of access to the site during the excavation or fill.
 - proposed contour of the ground in its final state upon completion of the operation with vertical contours as specified above and showing the method of access and **methods of permanent drainage on a separate plan.**
 - proposed location of machinery, buildings, scales, and all other proposed structures and improvements, if known by the applicant.
 - proposed location of Buffer Zones and tree cover, and the location and grade width of any berms.
 - water table elevations, actual or potential impacts on lands or lots adjacent to the Permit Area by the proposed activity, and proposed methods of drainage to avoid or minimize such impacts.
 - where applicable, proposed method of extraction and processing, sorting, washing, crushing, and any other proposed processing activities.
 - for transport of Soil, proposed routes over Leq'á:mel roads to and from the Permit Area and a proposed traffic management plan consistent with any Leq'á:mel laws for traffic and nuisance, specifying entry and exit routes, signing and traffic control measures, dust control, cleaning activities, frequency of haul routes, days of the week and times of the day.
 - Any other information requested by the Leq'á:mel Lands Office or Council.

Agreement and Indemnity

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You accept all responsibilities and liabilities, including those associated with any fill brought to Leq'á:mel Lands under this application/permit, and including with respect to any material not suitable for future excavation or construction or not in compliance with the LFN Soil Regulations.

You understand, acknowledge and agree that LFN is not providing assurances and/or advice regarding flood protection and/or quality or structural properties of fill. You also understand that as the site-holder and applicant, you are responsible to any damages caused to LFN or any other person as a result of this work be it a negligent act or not, on my/our behalf and/or any of my/our agents carrying out this work.

You agree to indemnify and hold harmless LFN and it's Chief, Executive Council members, staff and other representatives for any loss or damage incurred by LFN or any other person in connection with any filling work carried out respect of the CP holder(s)' lands. In the event of any breach of the LFN Soil Regulations, LFN may suspend the rights under or terminate any issued Permit, at LFN's sole discretion.

_____	_____
_____	_____
_____	_____
_____	_____
Applicant(s) Signature(s)	Date



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To the best of my/our knowledge, the information on this form is accurate and complete and represents the fill intended for delivery to the site.

I/we accept all liabilities, including those associated with any fill brought to the land under this application/permit.

I/we also accept all liabilities for fill brought onto the site which contains material not suitable for future excavation, construction, or not in compliance with LFN's Soil Transport, Deposit, and Removal Regulation.

Signature(s): _____

Date: _____

Date: _____

Date: _____

Email completed form and attachments to the Lands Department

Prepared pursuant to the *LFN Soil Transport, Deposit and Removal Law, 2020*.



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Schedule FS – Fill Site Information

Office Use Only

Reviewed by: _____	FS Permit No: _____
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Applicant's Information

Applicant(s): _____	Bus: _____
Address: _____	Fax: _____
Contractor: _____	Bus: _____
Address: _____	Fax: _____
_____	_____

See attached sheets. Use extra sheets if necessary.

Lot Nos:	_____
Proposed material and quantity for import (m ³):	_____
Proposed cells for filling:	_____
Elevation of fill (Geodetic):	_____
Area of Fill Site (in hectares):	_____

Attachments (check what you have included)

Schedule A – Agreement and Indemnity Form (required):	_____
Schedule R – Haul Route Map (required):	_____
Schedule SA – Soil Acceptance Form (required):	_____
Information required under Section 10 of the Soil Law:	_____
Proof of Insurance:	_____
Security Bond (if required by LFN):	_____

Declaration

By way of this application, I/we agree to abide by the laws, regulations, and procedures of LFN and any reporting requirements set out by LFN and any other governing legislation associated with this work.			
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Applicant(s) Signature(s)	Date	Hauling Contractor(s) Signature	Date

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Schedule TS: Fill Tracking Slips

1: Leq'á:mel Checkpoint The Operator collects this part, and provides a copy to LFN	
LFN Fill Tracking Slip	
Date: _____	
Soil Acceptance Code: _____	
Trucking Company: _____	
Truck Plate or ID: _____	
Truck/Trailer	T <input type="checkbox"/>
	T&P <input type="checkbox"/>
	TT3 <input type="checkbox"/>
	TT4 <input type="checkbox"/>
	END DUMP <input type="checkbox"/>
	OTHER <input type="checkbox"/>
Fill Class	RL <input type="checkbox"/>
	CL <input type="checkbox"/>
Fill Site Lot No.	_____
Fill Cell	_____
Coordinate	_____
Generating Site Stockpile Ref	_____
Depart Generating Site Time	_____
Arrive Fill Site Time	_____
Inspector	Acceptance Signature
Generating Site	_____
LFN	_____
<i>LFN Soil Transport, Deposit and Removal Law, 2020.</i>	

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1: Receiving Site Fill Site Keeps this Part	
LFN Fill Tracking Slip	
Date _____	
Soil Acceptance Code _____	
Trucking Company _____	
Truck Plate or ID _____	
Truck/Trailer	T <input type="checkbox"/>
	T&P <input type="checkbox"/>
	TT3 <input type="checkbox"/>
	TT4 <input type="checkbox"/>
	END DUMP <input type="checkbox"/>
	OTHER <input type="checkbox"/>
Fill Class	RL <input type="checkbox"/>
	CL <input type="checkbox"/>
Fill Site Lot No. _____	
Fill Cell _____	
Coordinate _____	
Generating Site Stock Pile Ref. _____	
Depart Generating Site Time _____	
Arrive Fill Site Time _____	
Inspector	Acceptance Signature
Generating Site _____	
LFN _____	
Leq'á:mel First Nation Soil Removal, Transfer and Deposit Law, 2019	

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Schedule L3 – Source and Fill Site Daily Hauling Record

SAC No.: _____

Date: _____

OS Address: _____

Hauling Contractor's Representative: _____

FS Permit No.: _____

Page: _____ of _____

	Trucking Company	Plate	Type	Source Site			Receiving Site					
				Material	m ³	Load Time	m ³	Dump Time	Cell	Quad	Elevation	
1												
2												
3												
4												
5												
6												
7												
8												
9												
10												
11												
12												
13												
14												
15												
18												
19												
20												

Type: T, T&P, TT3, TT4, Demo, Other

Cell: See map

Volume: 1 yd³ = 0.765 m³

Quad: N, S, E, W

Elevation: Use metres above sea level (geodetic)

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